

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA

In re:  
Joel Gonzalez

Chapter 13  
Case No. 09-50948 RLE

OBJECTION TO CLAIM; NOTICE OF OPPORTUNITY FOR  
HEARING; CERTIFICATE OF SERVICE  
CLAIMANT: JPMorgan Chase Bank, NA

Debtor(s) \_\_\_\_\_ / CLAIM NO: 1

The Debtor(s) [or Trustee] object(s) to the allowance of the claim described as:

<u>NAME &amp; ADDRESS OF CLAIMANT (as set forth on Proof of Claim)*</u>	<u>DOLLAR AMT</u>	<u>DATE FILED</u>
JPMorgan Chase Bank, National Association 7255 Baymeadows Way Mail Stop JAXB2007 Jacksonville, Florida 32256 Attn: Lawrence J. Buckley	See Exhibit A & B 554,270.22	February 27, 2009

The basis for the objection is that the claim:

\_\_\_ duplicates claim no. \_\_\_\_\_ filed on \_\_\_\_\_ by \_\_\_\_\_.

\_\_\_ does not include a copy of the underlying judgment.

\_\_\_ does not include a copy of the security agreement and evidence of perfection.

\_\_\_ fails to assert grounds for priority.

\_\_\_ does not include a copy of the assignment(s) upon which it is based.

\_\_\_ appears to include interest or charges accrued after the filing of this case on \_\_\_\_\_.

\_\_\_ is not timely filed.

T debtor has rescinded the loan by reason of TILA violations; the claim is therefore unsecured and subject to off sets \_\_\_\_\_.

The Objecting Party will ask the Court to enter an Order providing that the claim is:

\_\_\_ allowed as a secured claim in the amount of: \$ \_\_\_\_\_.

\_\_\_ allowed as an unsecured claim in the amount of: \$ \_\_\_\_\_.

\_\_\_ allowed as a priority claim in the amount of: \$ \_\_\_\_\_.

T disallowed in its entirety \_\_\_\_\_.

**NOTICE IS HEREBY GIVEN**, pursuant to FRBP 3007 as modified by Local Rule 9014: 1) that any objection to the requested relief, or a request for hearing on the matter must be filed and served on the requesting party within twenty (20) days of mailing of the notice; 2) that a request for hearing or objection must be accompanied by any declarations or memoranda of law the party objecting or requesting wishes to present in support of its position; 3) that if there is not a timely objection to the requested relief or a request for hearing, the Court may enter an order granting the relief by default; and 4) that the initiating party will give at least ten (10) days written notice of hearing to the objecting or requesting party, and to any trustee or committee appointed in the case, in the event an objection or request for hearing is timely made.

Dated: \_\_\_\_\_

DEBTOR(S') ADDRESS:

Joel Gonzalez  
116 Kelly Court  
Watsonville, CA 95076

\*

Attorney for Objecting Party

\*Cathleen Cooper Moran/Renée C. Mendoza  
\*Moran Law Group, 1674 N. Shoreline Blvd., Ste. 140  
\*Mountain View, CA 94043  
\* Telephone: 650-694-4700

CERTIFICATE OF SERVICE

I am not less than 18 years of age and not a party to the within case. My business address is: 1674 N. Shoreline Blvd., Ste. 140, Mountain View, CA 94043. I served this OBJECTION TO CLAIM; NOTICE OF OPPORTUNITY FOR HEARING by first-class United States Mail, postage pre-paid, at Mountain View, California, on the date noted below and addressed to the Claimant above, and on those listed below. If entitled to notice, the Chapter 13 Trustee will receive such notice upon the electronic filing of this document I declare, under penalty of perjury, that the foregoing is true and correct.

Dated: \_\_\_\_\_ at Mountain View, California.

Lawrence J. Buckley  
Creditor's Agent  
P.O. Box 829009  
Dallas, TX 75382-9009

Devin Derham-Burk  
Chapter 13 Trustee  
P.O. Box 50013  
San Jose, CA 95150

United States Trustee  
280 South First Street  
Suite 268  
San Jose, CA 95113

\*

Rev. 2/05

Case: 09-50948 Doc# 31 Filed: 06/08/09 Entered: 06/08/09 17:55:53 Page 1 of 1